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MAIL STOP PCT  
MISSING REQUIREMENTS  
Attorney Docket No. 26753U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YACHIA et al.

Serial No. 10/533,639

Filed: May 3, 2005

International Application No.: PCT/IL2003/000914

International Filing Date: 04 November 2003 (04.11.2003)

Title: **IMPLANTABLE MEDICAL DEVICE FOR CONTROLLED RELEASE OF A  
SUBSTANCE**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

UNDER 35 U.S.C. 371

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements mailed November 8, 2005, submitted herewith are the following:

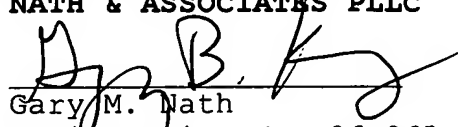
- (1) Executed Declaration and Power of Attorney;
- (2) Check No. 1182 in the amount of \$ 65.00 surcharge fee for the late filing of the Declaration and Power of Attorney as a small entity.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

By:

  
Gary M. Nath  
Registration No. 26,965  
Gregory B. Kang  
Registration No. 45,273  
Customer No. 20529

Date: November 15, 2005  
NATH & ASSOCIATES  
1030 15<sup>th</sup> Street N.W., 6<sup>th</sup> Floor  
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(202) 775-8383  
GMN/GBK/sw:NEMP371.response



J004 Rec'd PCT/PTO 15 NOV 2005  
PCT

MAIL STOP PCT  
MISSING PARTS  
Attorney Docket No. 26753U

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

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SUBSTANCE**

**TRANSMITTAL LETTER**

Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Copy of Notification of Missing Requirements Under 35 U.S.C. 371;
- (2) Response to Notification of Missing Requirements Under 35 U.S.C. 371;
- (3) Executed Declaration and Power of Attorney;
- (4) Check No. 1182 in the amount of \$ 65.00 surcharge fee for the late filing of the Declaration and Power of Attorney as a small entity.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

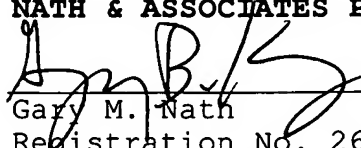
11/21/2005 MKAYPAGH 00000093 10533639

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65.00 OP

**NATH & ASSOCIATES PLLC**

By:

  
Gary M. Nath  
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Date: November 15, 2005  
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(202) 775-8383  
GMN/GBK/sw



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,639	Daniel YACHIA	26753U

INTERNATIONAL APPLICATION NO.
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PCT/IL03/00914

I.A. FILING DATE	PRIORITY DATE
11/04/2003	11/04/2002

Gary M. Nath  
 Nath & Associates  
 1030 15th Street, NW  
 6th Floor  
 Washington, DC 20015-1503

CONFIRMATION NO. 1745

371 FORMALITIES LETTER



\*OC000000017412021\*

Date Mailed: 11/08/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/03/2005
- Copy of the International Search Report filed on 05/03/2005
- Preliminary Amendments filed on 05/03/2005
- U.S. Basic National Fees filed on 05/03/2005
- Priority Documents filed on 05/03/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,639	PCT/IL03/00914	26753U

FORM PCT/DO/EO/905 (371 Formalities Notice)